

# PATENT COOPERATION TREATY

# PCT

## DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rules 13ter.1(c) and Rule 39)

Applicant's or agent's file reference <b>PHNL030341WO</b>	IMPORTANT DECLARATION	Date of mailing(day/month/year) <b>06/08/2004</b>
International application No. <b>PCT/IB2004/050347</b>	International filing date(day/month/year) <b>26/03/2004</b>	(Earliest) Priority date(day/month/year) <b>07/04/2003</b>
International Patent Classification (IPC) or both national classification and IPC <b>G09G3/36</b>		
Applicant <b>KONINKLIJKE PHILIPS ELECTRONICS N.V.</b>		


This International Searching Authority hereby declares, according to Article 17(2)(a), that no international search report will be established on the international application for the reasons indicated below

1. ☐ The subject matter of the international application relates to:
  - a. ☐ scientific theories.
  - b. ☐ mathematical theories
  - c. ☐ plant varieties.
  - d. ☐ animal varieties.
  - e. ☐ essentially biological processes for the production of plants and animals, other than microbiological processes and the products of such processes.
  - f. ☐ schemes, rules or methods of doing business.
  - g. ☐ schemes, rules or methods of performing purely mental acts.
  - h. ☐ schemes, rules or methods of playing games.
  - i. ☐ methods for treatment of the human body by surgery or therapy.
  - j. ☐ methods for treatment of the animal body by surgery or therapy.
  - k. ☐ diagnostic methods practised on the human or animal body.
  - l. ☐ mere presentations of information.
  - m. ☐ computer programs for which this International Searching Authority is not equipped to search prior art.
2. ☒ The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:
 

☐ the description
☒ the claims
☐ the drawings
3. ☐ The failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions prevents a meaningful search from being carried out:
 

☐ the written form has not been furnished or does not comply with the standard.
 ☐ the computer readable form has not been furnished or does not comply with the standard.
4. ☐ The failure of the tables related to the nucleotide and/or amino acid sequence listing to comply with the technical requirements provided for in Annex C-b/s of the Administrative Instructions prevents a meaningful search from being carried out:
 

☐ the written form has not been furnished.
 ☐ the computer readable form has not been furnished or does not comply with the technical requirements.
5. Further comments: see additional sheet

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer  <b>Dana Schalinatus</b>
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The application presently on file contains only one independent claim. This independent claim is unclear to such an extent that a meaningful search is not possible. This claim refers to a passive matrix liquid crystal display, which includes  $N$  lines, to which signals are applied for the purpose of displaying an image on the display during a period  $t_l$  and for other purposes during a period  $t_{app}$ . Further the claim reads "in which the multiplexibility  $m$  of the liquid crystal is larger than  $(N \cdot t_l + t_{app}) / t_l$ ".

The claim is not clear for the following reasons:

1. The multiplexibility  $m$  is defined on page 1 of the description, taking reference from the article by Alt and Pleschko, as a function of the threshold and saturation voltages of the liquid crystal. The description does not clarify the relationship between the definition of the multiplexibility as defined in the description and the value given in the claim. Indeed, the description does not mention nor explain the formula present in claim 1, with the exception of page 2, in which the claims are repeated almost literally, without explanation.
2. Since the claim establishes no relationship between the parameters  $N$ ,  $t_l$  and  $t_{app}$  on the one hand, and  $V_{th}$  and  $V_{sat}$  on the other, and since these features are necessary in order to understand the subject-matter for which protection is sought, it is clear that the technical features of the display device that establish this relationship are missing.
3. The present formulation of claim 1, even if the formula were to be understood, is in the form of a "wish" or "result to be achieved". It does not contain a list of technical features that define the device for which protection is sought.

No meaningful search is possible because claim 1 discloses the invention in term of a combination of parameters, given by the cited formula, with no clear connection between the values of the parameters and the technical features that would cause the parameters to have certain determined values and, on the other hand, it is also not clear which technical features of the claimed display device are influenced by the values of the parameters. Since claim 1 defines a relationship between a characteristic of the liquid crystal material used (the multiplexibility  $m$ , defined on page 1) and a combination of parameters of the driving scheme (formula  $m > (N \cdot t_l + t_{app}) / t_l$ ), and since this relationship is not clearly related to the technical features of the claimed display device, the search would consist only in a verification of this relationship in all the documents dealing with passive matrix liquid crystal. In other words the only possible search is by verification in all the possible documents present in the relevant prior art since it is not possible to understand how and when the formula  $m > (N \cdot t_l + t_{app}) / t_l$  is verified on the basis of the technical features of a disclosed display device.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO

policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.